IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE J.CHELAMESWAR**

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**WRIT PETITION NO : 16345 of 1994**

**Between:**

M.RAjanna, S/o. Kurmaiah.
Tatagudi Centre, Bhadrachalam,
Khammam. **..... PETITIONER**

**AND**

1 The Vice Chairman & M.D.,

Girijan Coop., Corporation Ltd.,
Visakhapatnam.
2 The Divisional Manager,

Girijan Coop. Corporation Ltd.,
Divisional Office, Bhadrachalam, Khammam.
3 Manager, Br.Office, Girijan Coop. Corporation Ltd.,
Branch Office, Bhadrachalam,
Khammam.
4 The State of A.P., Rep. Secretary to Govt.,
Social Welfare (s) Dept., Secretariat,
Hyderabad. **.....RESPONDENTS**

**(**R-4 is impleaded as per Court order

dt.29-11-1994 in WPMP.25499 of 1994)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction in the nature of Writ of Mandamus and declare G.O.MS.No.215 D.E (s) Dept., dated 23/08/1986 as illegal, arbitrary, wholly without jurisdiction and unconstitutional and quash the same and consequentially quash the impugned proceedings in Rc.No.500/93-B dated 09/08/1996 as illegal, arbitrary, and unconstitutional and

consequently direct the respondents to reinstate the petitioners into service with all consequential benefits etc.,

**Counsel for the Petitioner: DR.K.LAKSHMINARASIMHA**

**Counsel for the Respondent Nos.1 to 3: GP FOR COOPERATION**

**Counsel for the Respondent No.4: GP For SOCIAL WELFARE.**

**The Court made the following :**

**ORDER:**

The writ petition is filed with the prayer as follows:

> "to issue a writ, order or direction preferably in the nature of writ of mandamus and after calling for the records pertaining to Proceedings No.500/93/E dated 27-8-1994 issued by the 2nd respondent and quash the same as illegal, arbitrary, and unconstitutional."

It is regrettable that in spite of the pendency of this writ petition for a period of more than a decade by now, no counter is filed by the 4th respondent-State of A.P., till today. Even when the matter is taken up today, neither the learned Counsel appearing for the State is present nor any representation is made. The issue involved in this writ petition is squarely covered by an unreported judgment of this Court in W.P.No.17130 of 1994, dated 09-09-2004.

Following the same, this writ petition is also allowed as prayed for. There shall be no order as to costs.

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**17-02-2005**

**LUR**

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this

Thursday, the seventeenth day of February, Two thousand and five.

REGISTRAR

Copy to:

1 The Vice Chairman & M.D., Girijan Coop., Corporation Ltd.,
Visakhapatnam.
2 The Divisional Manager, Girijan Coop. Corporation Ltd.,
Divisional Office, Bhadrachalam,
Khammam.
3 The Manager, Br.Office, Girijan Coop. Corporation Ltd.,
Branch Office, Bhadrachalam,
Khammam.
4 The State of A.P., Rep. Secretary to Govt.,
Social Welfare (s) Dept., Secretariat,
Hyderabad.

5 Two CCs to the G.P for Co-operation,

High Court Buildings, High Court of A.P.,

Hyderabad. (O.U.T.)

6 Two CD copies.